

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

WAVERLEY APARTMENTS, INC.

APPROVAL OF ORDER OF TAKING AND AWARD OF DAMAGES

WHEREAS, the Boston Redevelopment Authority, a public body politic and corporate, duly organized and existing pursuant to the provisions of the Housing Authority Law of the Commonwealth of Massachusetts (appearing in Massachusetts General Laws (Ter. Ed.) Chapter 121, as amended) and having its principal office in Boston, Suffolk County, Massachusetts, in pursuance of its power as set out in said Housing Authority Law and pursuant to its power as set forth in Chapter 121A of the Massachusetts General Laws and Chapter 652 of the Acts of 1960 and every other power thereunto enabling, determined that the area or areas hereinafter described within the City of Boston constitute a blighted open area as defined in Section 11 of Chapter 121A of the Massachusetts General Laws, and further determined pursuant to all other powers granted by said Chapter 121A that a project as defined in the area hereinafter called the "Project Area" described in "Annex A" ought to be undertaken in said city; and

WHEREAS, Maurice Simon and others hereinafter called the "Redevelopers" have submitted to the Authority an application asking the approval of a project and the consent of the Authority in carrying out the same; and consent to the formation of an urban redevelopment corporation; and

WHEREAS, the Redevelopers have obtained the charter for the urban redevelopment corporation, called "Waverley Apartments, Inc."; and

WHEREAS, Waverley Apartments, Inc. has complied with the provisions of said Chapter 121A of the Massachusetts General Laws and said Chapter 652 of the Acts of 1960, and has likewise complied with the Application and the Terms and Conditions set forth in the Report and Decision on Application for Approval of the Allston-Waverley Project and Consent To The Formation of Waverley Apartments, Inc.; and

WHEREAS, the said Waverley Apartments, Inc., has, pursuant to Section 11 of Chapter 121A and Section 40 of Chapter 79 of the Massachusetts General Laws, deposited security to the satisfaction of the Boston Redevelopment Authority; and

WHEREAS, Waverley Apartments, Inc. has determined that the taking in fee simple by eminent domain of the real estate within said Project Area, as hereinafter described, is necessary and reasonably required to carry out the project of the corporation as approved under said Chapter 121A and said Chapter 652 of the Acts of 1960; and

WHEREAS, Waverley Apartments, Inc. has applied to the Authority, seeking its approval for the taking of the real estate within the Project Area by the exercise of the power of eminent domain.

NOW, THEREFORE, ORDERED that the Boston Redevelopment Authority, acting under the provisions of Chapter 121 and Chapter 121A of the Massachusetts General Laws as amended, and without limiting the generality of the foregoing Section 11 of Chapter 121A, does hereby approve the taking in fee simple by Waverley Apartments, Inc. for the purposes hereinbefore set forth of the area or areas located in the City of Boston as hereinafter described, including all parcels of land therein, together with any and all easements and rights appurtenant thereto, including the trees, buildings and other structures standing upon or

affixed thereto, and including the fee to the center of any and all public streets, highways, and public ways, and including any and all private ways and streets in said area or areas or contiguous and adjacent thereto, being bounded and described in "Annex A" attached hereto and made a part hereof.

AND FURTHER ORDERED THAT in accordance with the provisions of the General Laws, Chapter 79 and Chapter 121A, as amended, awards are made by the BOSTON REDEVELOPMENT AUTHORITY for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel of the areas described in Annex B and entitled to any damages by reason of the taking hereby made; the word, "Parcel" as herein used being construed to mean any contiguous tract of land in the same ownership, whether or not such tract consists of one or more platted lots or a fractional part thereof. The Boston Redevelopment Authority reserves the right to amend the award or to increase the amount of damages to be paid at any time prior to the payment thereof for good cause shown. The awards hereby made are set forth in "Annex B" which Annex B is not to be recorded in the Registry of Deeds with this Order of Taking;

AND FURTHER ORDERED that the Boston Redevelopment Authority hereby determines that the security deposited by the Waverley Apartments, Inc., is sufficient;

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority shall cause this approval of the Order of Taking by Waverley Apartments, Inc. to be recorded in the Office of the Suffolk County Registry of Deeds and in the Suffolk County Registry District of the Land Court.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the Corporate Seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: FEB 3 1966

BOSTON REDEVELOPMENT AUTHORITY

ATTEST:

Secretary of the
Boston Redevelopment Authority

ALLSTON-WAVERLY PROJECT AREA

A certain parcel of land situated in the Brighton District of Boston, Suffolk County, Massachusetts, being shown on a plan entitled, "WAVERLY APARTMENTS INC. ALLSTON MASSACHUSETTS TOPOGRAPHIC PLAN BOSTON (Brighton) MASS. Harry R. Feldman, Inc. Surveyors Date Oct. 25, 1965 Revised: January 25, 1966" to be recorded herewith, said premises are more particularly bounded and described according to said Plan as follows:

BEGINNING at a point which forms the northeasterly intersection of Lawrence Street with South Waverly Street, at a stone bound, thence running

NORTH 85 degrees, 20 minutes 45 seconds West, 57.87 feet; thence

NORTH 03 degrees 44 minutes 19 seconds East 80 feet; thence

SOUTH 85 degrees 20 minutes 45 seconds East 22 feet;

Said last three bounds being by land now or formerly of Henry F. Ciccarelli; thence

NORTH 03 degrees 44 minutes 19 seconds East by land of said Ciccarelli, and land now or formerly of Armando and Lena Abbondanzio, 144.69 feet; thence

NORTH 86 degrees 06 minutes 00 seconds West 80 feet; thence

NORTH 03 degrees 44 minutes 19 seconds East 80 feet;

Said last two bounds being by land now or formerly of Joseph and Joanne Filippone; thence

SOUTH 86 degrees 06 minutes 00 seconds East by land now or formerly of said Filippone and land of William and Julia Gincauskis, 202.72 feet to the Westerly line of said South Waverly Street; thence

NORTH 19 degrees 38 minutes 12 seconds East by said South Waverly Street, 36.36 feet; thence

NORTH 86 degrees 06 minutes 00 seconds West by land now or formerly of Thomas H. McVey, Jr. and Ernest G. and Adele Tomacelli, 178.73 feet; thence

NORTH 03 degrees 54 minutes 00 seconds East by said land now or formerly of Tomacelli, 101.70 feet; thence

NORTH 86 degrees 06 minutes 00 seconds West, by land now or formerly of Luciano Mazzola, Anthony and Parksedas Svagzdis, Henry H. and Eda C. Tehan, Olive M. Buck Walter M. Buckofsky and Josephine Rubbico and Celia Magazzu, 309.19 feet; thence

SOUTH 03 degrees 54 minutes 00 seconds West, by land now or formerly of John G. and Lena Barr, et als, 101.70 feet; thence

NORTH	86 degrees 06 minutes 00 seconds West by said Barr land, 34.69 feet; thence
SOUTH	03 degrees 54 minutes 00 seconds, West by land now or formerly of the City of Boston, 35 feet; thence
SOUTH	03 degrees 44 minutes 19 seconds West by land now or formerly of Gertrude Roberts, Peter Centola, Anna E. Lewansky, Mary E. King et al and Margaret E. and Anna M. Murphy, 299.54 feet; thence
NORTH	85 degrees, 20 minutes 45 seconds West, by said land now or formerly of Murphy, 97.53 feet to Portsmouth Street; thence
SOUTH	by said Portsmouth Street, 03 degrees, 33 minutes 43 seconds West 35.01 feet; thence
SOUTH	85 degrees 20 minutes 45 seconds East by land now or formerly of Mary Daukas, et al, 97.41 feet; thence
SOUTH	03 degrees, 44 minutes 44 seconds West by said land of said Daukas et al and by land of Joseph and Ida P. Centola, 64.29 feet; thence
SOUTH	85 degrees 27 minutes 00 seconds east by said land of said Centola 38.96 feet; thence
SOUTH	04 degrees 39 minutes 15 seconds West by said land of said Centola 29.55 feet; thence
SOUTH	85 degrees, 27 minutes, 23 seconds East by land now or late of Louis and Daniel, Jr., Spector and Louis Spector, 219.92 feet; thence
NORTH	09 degrees, 30 minutes 45 seconds East by land now or formerly of Eugene Baratta, 11 feet; thence
SOUTH	80 degrees 39 minutes 08 seconds East, by said Baratta land, 59.37 feet; thence
NORTH	04 degrees 39 minutes 15 seconds East by said land of Baratta and land now or formerly of John W. and Thomas J. Barrett, 87.24 feet; thence
SOUTH	85 degrees 20 minutes 45 seconds East by said Barrett land 96 feet to the westerly side of South Waverly Street; thence
NORTH	19 degrees 38 minutes 12 seconds East by said South Waverly Street, 36.23 feet to the point of BEGINNING.

Said premises contain 205,290 square feet of land or 4.713 Acres according to said Plan, or, however, said premises may be bounded, measured or described.

There are included within said area the following parcels of registered land:

REGISTERED LAND PARCELS WITHIN TAKEN
AREA

Address: Lawrence and Fletcher Sts.
Allston district of Boston

Certificate No.: 63020, Suffolk Land Registration,
Book 311, page 20

Owner: Henry F. Ciccarelli

Purpose of Taking: General Laws, Chapter 121A
Corporation

Address: Lawrence and Fletcher Sts.
Allston district of Boston

Certificate No.: 74644, Suffolk Land Registration,
Book 369, page 44

Owner: New England Urban Development Corp.

Purpose of Taking: General Laws, Chapter 121A
Corporation

Address: School and Bronsdon Sts.
Allston district of Boston

Certificate No.: 71596, Suffolk Land Registration,
Book 353, page 196

Owner: Edward C. Madden, Jr.

Purpose of Taking: General Laws, Chapter 121A
Corporation

The portion of the land which comprises Lawrence St., being a
portion of the land described in :

Certificate: 73400, Suffolk Land Registration,
Book 362, page 200.

Owner: Peter J. Parise, Jr., and Henrietta
P. Parise

Purpose of Taking: General Laws, Chapter 121A
Corporation

The portion of the land which comprises School St., being a portion of
the land described in:

Certificate: 65851, Suffolk Land Registration,
Book 325, page 51

Owner: William and Julia Gincauskis

Purpose of Taking: General Laws, Chapter 121A
Corporation

SUPPOSED OWNERS

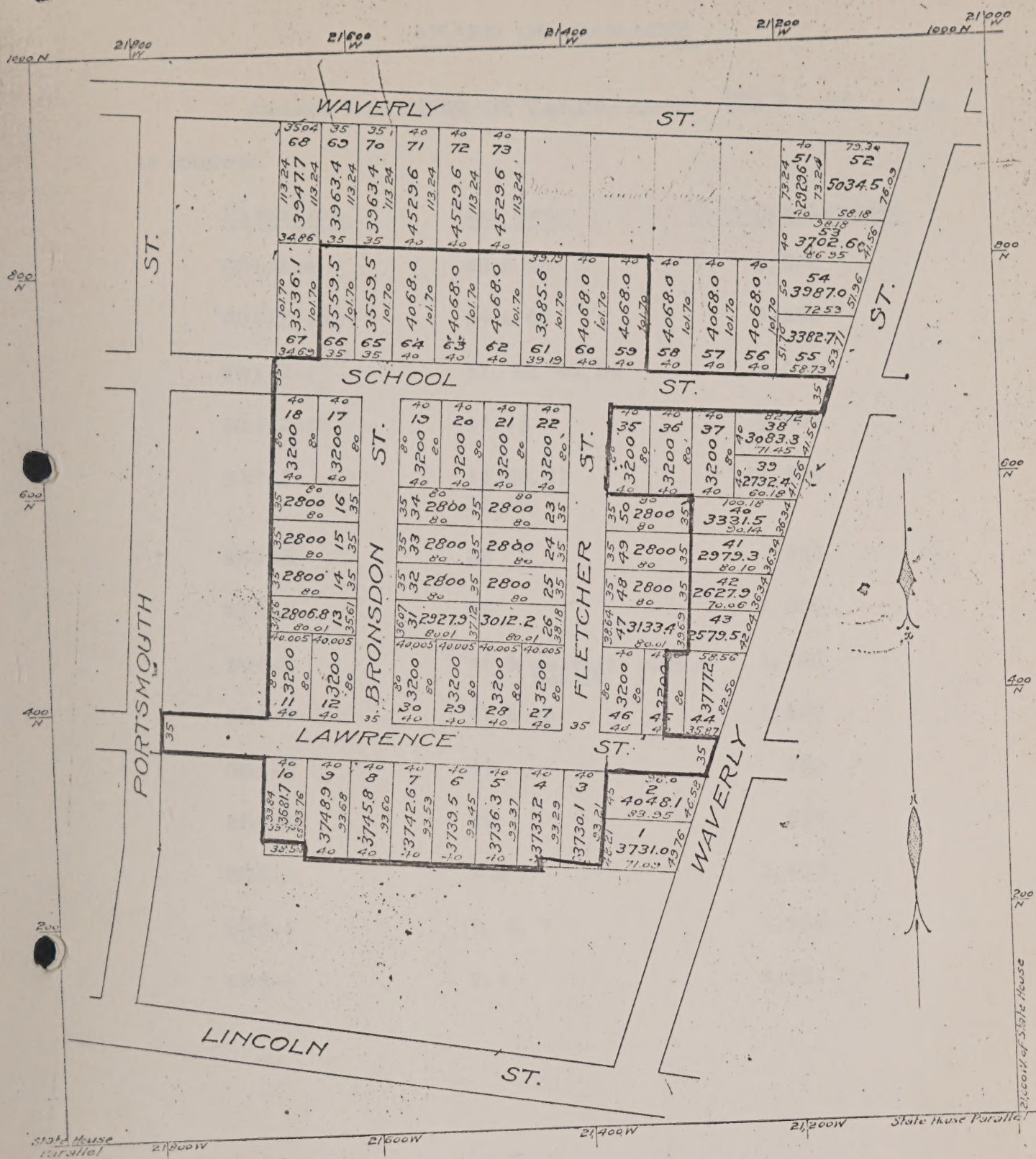
The supposed owners of the lots of land hereby taken are as follows:

<u>Parcel No.</u>	<u>Lot Nos.</u>	<u>Street Address</u>	<u>Supposed Owner</u>
8B1/2-4	65 & 66	Lots 65 & 66 School St.	Josephine Rubicca, et al
8B1/2-16B	59 & 60	Lots 59 & 60 School St.	Daniel J. Tomacelli, et al
8B1/2-17	61, 62, 63, 64	Lots 61-64 School St.	R/W Realty
8B1/2-18	11-18	13-18 Brons- don St.	Edward C. Madden, Jr.
8B3-1	19, 20, 21, 33, 34	6 Bronsdon St.	Edward C. Madden, Jr.
8B3-2	22	Lot 22, Corner Fletcher-School Sts.	International Shoe Machinery Corp.
8B4-1	50	Lot 50 Fletcher St.	Joseph Filippone, et al
8B4-4	46 & westerly part of Lot 45	Lot 46 Lawrence St.	Henry F. Ciccarelli
8B4-5	47 & 48	Lot 47 & 48 Fletcher St.	Anthony Rufo
8B4-6	49	Lot 49 Fletcher St.	Annie M. Kelley
8B5-2	10	Lot 10 Lawrence St.	Anthony Cuggino
8B5-3	8 & 9	Lots 8 & 9 Lawrence St.	Catherine Centola
8B5-4	5, 6, 7	Lots 5, 6, 7 Lawrence St.	Louis & David Spector, Trustees
8B5-5	3, 4	Lots 3 & 4 Lawrence St.	Thomas W. Barrett, Jr., et al

The names of owners herein listed as supposed owners, although supposed to be correct, are such only as matter of information, opinion and belief and are listed for informational purposes only.

The lots listed above are shown on a plan made by John N. McClintock, dated June 13, 1905, recorded at Suffolk Registry of Deeds, Book 3257, page 442, a copy of which plan is recorded herewith for informational purposes.

END



WAVERLY STREET TRACT BRIGHTON DISTRICT BOSTON

Newell D. Atwood, Auctioneer
Scale 1"=40'

John N. McClintock A.M.C.E. Engineer.
June 13th 1905.

For Record.

ANNEX B

AWARD OF DAMAGES

Awards for ORDER OF TAKING dated **FEB 3 1966** are
as follows:

<u>Parcel No.</u>	<u>Lot Nos.</u>	<u>Damages Awarded</u>
8B1/2-4	65 & 66	\$ 2,500
8B1/2-16B	59 & 60	3,250
8B1/2-17	61, 62, 63, 64	4,050
8B1/2-18	11-18	9,600
8B3-1	19, 20, 21 33, 34	12,500
8B3-2	22	800
8B4-1	50	1,000
8B4-4	46 & westerly part of Lot 45	1,300
8B4-5	47 & 48	1,800
8B4-6	49	700
8B5-2	10	650
8B5-3	8 & 9	2,600
8B5-4	5, 6, 7	3,350
8B5-5	3, 4	3,200

CERTIFICATE OF DIRECTORS

OF

WAVERLEY APARTMENTS, INC.

I, Dorothy Dodd, Clerk of WAVERLEY APARTMENTS, INC., hereby CERTIFY that the following are the duly elected and qualified directors of said Corporation, at the present time:

Maurice Simon

John C. Pappas

Dorothy Dodd

Dated: FEB 1 1966

Dorothy Dodd

Dorothy Dodd, Clerk



CERTIFICATE OF VOTE

I, DOROTHY DODD, Clerk of Waverley Apartments, Inc.

hereby CERTIFY that the following is a true copy of a Vote unanimously adopted at a Special Meeting of the Board of Directors of Waverley Apartments, Inc., held on February 1, 1966, in Boston, Massachusetts, at which meeting a majority of the Directors were present and voted, and that said Vote is still in full force and effect, the same not having been rescinded:

"VOTED: That Waverley Apartments, Inc. hereby determines that the taking in fee simple by eminent domain of certain real estate in the City of Boston is necessary and reasonably required to carry out a project of the corporation as approved under Chapter 121A of the Massachusetts General Laws (Ter. Ed.), as amended, and Chapter 652 of the Acts of 1960, the real estate to be taken by eminent domain being bounded and described in Annex A attached to and made part of an Order of Taking, dated February 1966, and presented to this meeting, and as shown on a plan entitled "Waverley Apartments, Inc. Allston, Massachusetts Topographic Plan Boston (Brighton) Mass. Harry R. Feldman, Inc., Surveyors, date Oct. 25, 1965, Revised 1/25/66" referred to in said Order; and that Waverley Apartments, Inc. hereby authorizes the taking by eminent domain set forth in said Order of Taking and authorizes and directs a majority of the members of the Board of Directors of this Corporation, for and in the name of this corporation, to execute an instrument of taking in or substantially in the form of said Order, the execution of any instrument of taking by a majority of such members to be conclusive that said instrument is in or substantially in the form of said Order."

Dated: FEB 1 1966

1966

Dorothy Dodd
Dorothy Dodd, Clerk

